

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-13536 - APPLICANT: NEVADA POWER COMPANY -
OWNER: KYLE ACQUISITION GROUP, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-13535) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed Electric Utility Substation within the Kyle Canyon Master Development Plan community on 4.09 acres approximately 560 feet west of Hualapai Way and 890 feet north of Grand Teton Drive. A companion Site Development Plan Review (SDR-13535) will be reviewed concurrently.

EXECUTIVE SUMMARY

The proposed Electric Utility Substation will be located in accordance with Map 11 of the Centennial Hills Sector Plan's approved substation locations, based on recent General Plan Amendment (GPA-12339), which relocated the proposed facility from the northeast corner of Hualapai Way and Grand Teton Drive to its present location. The site for the proposed use is located to the north of Grand Canyon Drive and is surrounded by land that will be developed as part of the proposed future Kyle Canyon community. The site is located in a completely rural area at this point; however, this area will be developed for a blend of residential and commercial uses in the future, pursuant to the master development plan currently being prepared for the Kyle Canyon area. Given the proposed use conforms to the Centennial Hills Sector Plan and the related zoning, the Special Use Permit is recommended for approval.

BACKGROUND INFORMATION

A) *Related Actions*

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| 01/03/01 | The City Council approved a petition (A-0019-99) to annex property generally located on the northwest corner of Hualapai Way and Grand Teton Road containing 667 acres of land. |
| 05/19/04 | The City Council approved a request to amend a portion of Map 10 of the General Plan (GPA-4044) to realign power line corridors within the Cliff's Edge Master Development Plan area. The realignment placed power lines on the north side of Grand Teton Drive, within the Kyle Canyon area and within the overall subject parcel. The Planning Commission and staff recommended approval on 04/22/04. |
| 12/01/04 | The City Council approved a request to amend the Master Plan Recreation and Transportation Trail Elements (GPA-5157) to redesignate portions of proposed alignments in developed areas as pedestrian paths. The Planning Commission and staff recommended approval on 10/21/04. |

- 01/05/05 The City Council approved a request to adopt the Northwest Open Space Plan as an Element of the 2020 Master Plan (DIR-5543) for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive. The Planning Commission and staff recommended approval on 12/02/04.
- 01/18/06 The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from SC (Service Commercial), PCD (Planned Community Development) and PF (Public Facilities), to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval on 10/20/05.
- 06/07/06 The City Council approved a request (GPA-12339) to amend Map Eleven of the Centennial Hills Sector Plan to allow the relocation of an approved Electric Utility Substation from the northeast corner of Hualapai Way and Grand Teton Drive to a site north and west of the approved location; and for the addition of transmission lines related to the proposed relocation of the proposed substation. The Planning Commission and staff recommended approval on 04/27/06.
- 06/22/06 The Planning Commission recommended approval of companion item SDR-13535 concurrently with this application.
- 06/22/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #30/gl).

B) Pre-Application Meeting

- 05/01/06 Matters pertaining to the details of site plan review and special use permit submissions were discussed, as well as city requirements relating to public and private streets.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, and none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	667.04
Net Acres:	2.83

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped (Providence area under construction)
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: TND (Traditional Neighborhood Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
East: TND (Traditional Neighborhood Development)
West: RC (Resource Conservation)

D) Existing Zoning

Subject Property: U (Undeveloped) [TND (Traditional Neighborhood Development)
Master Plan Designation]
North: U (Undeveloped) [PCD (Planned Community Development) Master
Plan Designation]
South: PD (Planned Development)
East: R-E (Residence Estates)
West: Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the Master Plan. The site is designated as TND (Traditional Neighborhood Development), which allows for the current zoning of the site, which is U (Undeveloped). The U (Undeveloped) zoning district allows for utility installations of the type proposed through this application. A companion request for a Site Development Plan Review (SDR-13535) has been requested by the applicant.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
<i>Kyle Canyon</i>	<i>X</i>	
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance	X	

Kyle Canyon Master Development Plan

The subject site will be located within the area which is the subject of the future Kyle Canyon Master Development Plan. While this Plan is not yet approved, considerable work has been done in the preliminary development of land use and design concepts for this area, in which a host of new urbanist methods and the use of traditional urban design will be employed to a significant extent.

The proposed Electric Utility Substation needs to be developed early in the process, and in fact prior to approval of a definite land use pattern, due to the lead time needed to bring electrical facilities in to service this area. The location of the site is a “best fit” with the probable road network at this time, and the final layout of the area will incorporate the substation location in an appropriate manner.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a “Project of Significant Impact” for the following reasons:

- 1) The parcel on which the facility, which requires the approval of a Special Use Permit, is located, is within 500 feet of unincorporated Clark County lands.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. As of the date of the preparation of this report, no comments had been received from notified agencies.

The Planning Commission shall consider the Environmental Impact Assessment and any proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.10 does not contain any Parking Standards for Electric Utility Substations as the facility is not open to the public and contains only equipment. No buildings are part of the application request. Nevada Power personnel will park within the facility or on the paved driveways outside the access gate when visiting the site.

The Department of Public Works has stated it has no objection regarding a request for this Special Use Permit. It understands the necessity to move forward with entitlements for this substation in an effort to provide future power service for this area. However, because the Development Agreement and Design Guidelines for the Kyle Canyon development area have not been adopted and thus right-of-way alignments have not been defined, Public Works cannot accept right-of-way dedication adjacent to this site. The associated Site Development Plan Review, SDR-13535, will be conditioned such that permits cannot be issued for this project until right-of-way is in place that will tie those streets adjacent to this site into other public streets. The Department of Public Works does not object to granting a Special Use Permit, however all site-related conditions of approval for SDR-13535 must be complied with.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Electric Utility Substation use, and there are no similar approved uses within the 1,000-foot notification distance.

B) General Analysis and Discussion

- Zoning

An Electric Utility Substation requires a Special Use Permit in the U (Undeveloped) zoning district. This is the basis for the subject request. The location of the substation has already been approved by the Planning Commission and City Council via GPA-12339 as part of Map 11 in the Centennial Hills Sector Plan.

- Use

Title 19.20 defines “Electric Utility Substation” as a facility for transforming electricity for distribution to individual customers.

- Conditions

Electric Utility Substations are reviewed and conditioned on a case-by-case basis according to Title 19.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed development is compatible with the expected Kyle Canyon community that will surround the site. The proposal is also appropriate given its location regarding existing urban development in the area. The nearest existing residence is approximately 1,700 feet away from the subject site. The location of the proposed Electric Substation is also in conformance with Map 11 of the Centennial Hills Sector Plan.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is of adequate size to meet the requirements for a substation. Perimeter landscaping will buffer the development from the surrounding area.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Site access is adequate and adjacent roadways will not be impacted as the facility will only be accessed as necessary by Nevada Power personnel. Details concerning the adjacent unnamed public streets are yet to be determined, and Public Works has indicated a concern with the identification of these streets prior to the overall roadway plan for the area. Conditions of approval are intended to address the concerns voiced by Public Works.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare. The location of the proposed Electric Substation is also in conformance with Map 11 of the Centennial Hills Sector Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 108 by City Clerk

APPROVALS 0

PROTESTS 0